



Office of the Information
and Privacy Commissioner

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October 29th, 2012

Ms. Marlene Bruyere
FOIP Coordinator
Alberta Energy
8th floor North Petroleum Plaza
9945 - 109 Street
Edmonton, Alberta
T5K 2G8

Dear Ms. Bruyere;

Re: Request for Review ~ Case F6488

This is further to the Information and Privacy Commissioner's October 15th, 2012 letter. I am the Officer assigned to case F6488.

The Applicant asked that the fee calculated for records related to electricity deregulation be waived. Alberta Energy (the Public Body) denied the waiver advising the Applicant that there was "insufficient evidence to support public interest in the records" he requested.

Respectfully, I disagree. I think the waiver is warranted and is warranted for the reasons the Applicant provided in his submission.

In addition, and in converse to how the decision was described to the Applicant by the Advisor, I think the decision by the Public Body was actually determined by answering the question 'is the public interested?' in the issue, as opposed to the question 'is there a public interest component to the issue addressed by the records?'. To the second question, I believe the answer is yes.

How and why a public institution came to its decision to rather fundamentally alter public policy with respect to electricity deregulation is an issue that is clearly in the public interest. When a government changes a method of doing business that directly impacts virtually all members of the public, and the impact is to how they receive a critical utility and how it impacts their pocketbook, then in my mind there is a public interest.

Additionally, my recommendation to waive should not be read as a comment on whether there is a benefit or detriment to the public with respect to electricity deregulation. Though not wholly decided upon on that basis, it is the polarized perspective itself that lends to meeting the public interest criteria.

So, to that end, would the Public Body reconsider its decision and waive the fee charged to the Applicant? I recommend that the fee be waived and the Applicant refunded.

Please advise me what the Public Body's decision is by November 12th, 2012. Thank you.

Yours truly,



Catherine Taylor
Investigator/Portfolio Officer

c. Applicant

